

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

SEPTEMBER 7, 2010

The following is a summary of the September 7, 2010 Meeting:

- I. Meeting called to order at 9:00 AM by Frank Linkous, Chairman. Members present were Frank Linkous, Joseph Buchanan, Arvil McConnell, Gerald Kendrick and Ricky O'Quinn. Also present was Mary Gibson, Regulatory Boards Administrator.**
- II. Opening statement delivered by Frank Linkous, Chairman.**
- III. Motion made and seconded to accept September 7, 2010, meeting agenda and approve August 10, 2010, meeting summary. All members were in favor to approve.**
- IV. Review of cases of Virginia certificate holders
Jimmy Tackett
Mr. Tackett's attorney contacted DMME to request a continuance to the October 5, 2010, meeting to appear before the Board to show cause why his certifications should not be revoked. The Board granted the request.**
- V. Review of Virginia Substance Abuse Cases (Closed Session)**

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.
- VI. Open Agenda**

A request was made by the Health and Safety Institute, parent company to the nationally recognized American Health and Safety Institute and Medic First Aid, to be considered as an equivalent organization recognized by the DMME as a certifying agency for advanced first aid, first aid CPR training, oxygen administration and other activities. The Board voted for DMME to research their standards and standing, and if it merits being comparable to meeting the needs of the regulations as it applies to the Advanced First Aid

certification. After reporting back to the Board with the review, DMME will proceed to officially recognize them and make known to Virginia operators.

Mary Gibson provided a review of the breakdown of the range of charges that DMME currently pays for drug screening from the grant funds. The Board found this to be good comparative information. The Board recommended that the drug screening costs ordered by the Board and DMME field staff be tracked. This also provides a comparison to screenings ordered by the treatment providers.

Mr. Linkous reported that the substance abuse brochure, developed utilizing the grant educational funds, is at the printers, and these will be made available at the mines and mining community upon receipt.

VII. Next Meeting

Next meeting will be October 5, 2010.

VIII. Adjournment

Meeting adjourned at 1:10 PM.